

REMARKS

The Examiner's objections have been carefully noted and his confirmed acknowledgement of the allowability of claims 16 and 17 is appreciated.

The Examiner has rejected claims 23 to 28 under 35 U.S.C. §102(b) in view of Mogi et al. (US Pat. 5,505,202). He asserts that Mogi et al. teaches a thin flexible electrode support supporting a plurality of electrodes (3, 6), at least some of which are fixedly constructed on the electrode support characterized in that the flexible support comprises a plurality of foldable sections (1A, 2) that open out to form a substantially flat base (Figs. 1-2, 6-7).

The objection is respectfully traversed. Mogi et al. discloses a portable electrocardiograph having only two electrodes, i.e. a first electrode 130, a second electrode 140. The first electrode is provided on a body case so that during measurement it is held by a hand and comes into contact with the palm. The second measuring electrode is provided on an arm member provided on the body case in foldable manner and is pressed against the chest.

Claims 23 to 28 have been cancelled and replaced by new claims 29 to 41. As we understand it, the Examiner's

rejection appears to be predicated on his assertion that the recitation in claim 23 of "a plurality of electrodes (V1, V2, V3, V4, V5 and V6, LA, RA, LL)" includes within its scope the two electrodes of Mogi et al. and that the reference in parentheses to more than two electrodes does not limit the claim. New claim 29 has therefore been limited to recite that the electrode support supports:

at least six electrodes (V1, V2, V3, V4, V5 and V6) constructed on the electrode support in proper mutual spaced relationship for producing electrical contact with respective areas of a patient's chest when the leads V1 and V2 are substantially symmetrically disposed about his or her vertebrae for producing a 12-lead electrocardiogram when the electrode assembly is placed flat against the patient's chest. [Emphasis added]

These limitations are clearly supported by the original disclosure as follows:

Fig. 1 shows pictorially a portable compact electrode assembly depicted generally as 10 comprising a thin, flexible electrode support 11 adapted to produce a 12-lead electrocardiogram in a

manner similar to that shown in U.S. Patent No.
5,339,823. [Page 6, lines 10 to 13]

ECG leads on the various sections of the
electrode unit 11 are referenced by their
universally adopted symbols V1, V2, V3, V4, V5 and
V6, LA, RA and LL. The electrodes are screen-printed
on to the electrode support 11, although any other
suitable method for fixing the electrodes to a
flexible, insulating liner may be used.

Fig. 2 shows how the electrode assembly 10 is
used for the determination of a full twelve-
electrode ECG measurement. A patient 25 unfolds the
electrode support 11 and affixes the second
rectangular section 13 against his or her chest so
that the leads V1 and V2 are substantially
symmetrically disposed about his or her vertebrae.

[Page 7, lines 14-22]

It is respectfully submitted that these limitations
are clearly distinguished over Mogi et al.

The Examiner has rejected claim 23 under 35 U.S.C.
§102(b) in view of Morgan (US Pat. 5,466,244). He asserts that
Morgan shows a device comprising an electrode assembly having

a thin flexible electrode support supporting a plurality of electrodes (56) at least some of which are constructed on the electrode support and the electrode support comprises a plurality of foldable sections that flexible support the electrodes thereon and form a substantially flat base (Figs. 1-10).

The Examiner has rejected claims 26 to 28 under 35 U.S.C. §102(b) in view of Morgan (US Pat. 5,466,244). He asserts that Morgan shows a device comprising an electrode assembly having a thin flexible electrode support supporting a plurality of electrodes (56) at least some of which are constructed on the electrode support and the flexible support comprises a plurality of foldable sections (Figs. 1-10).

The objection is respectfully traversed. Morgan teaches a defibrillator electrode system having a pair of electrodes [col. 3, lines 11-16], which are used to apply an electrical shock to a patient's heart as shown in Fig. 7. The Examiner explains that the reference in the preamble of the independent claims to an assembly for a portable 12-lead ECG signaling device does not limit the scope of the claim. Applicant understands this, but respectfully avers that the limitations now introduced, and as explained above with reference to Mogi et al. are equally pertinent to Morgan.


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It is further submitted that claims 30 to 41 are allowable by virtue of their being dependent on an allowable base claim 29.

Favorable reconsideration and allowance are requested.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By 
Norman J. Latker
Registration No. 19,963

NJL:ma
Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528
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